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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



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Application of :  
Ryoji HAGIWARA et al. :  
Serial No. 10/016,830 :  
Filed: December 13, 2001 :  
For: CHARGED PARTICLE PROCES- :  
SING FOR FORMING PATTERN :  
BOUNDARIES AT A UNIFORM :  
THICKNESS : Docket No. S004-4504

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COMMISSIONER OF PATENTS AND TRADEMARKS  
Box MISSING PARTS  
Washington, DC 20231

Attn: Box Missing Parts

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF APPLICATION ("NOTICE") AND REQUEST  
FOR RESETTING MAILING DATE OF NOTICE**

S I R:

On May 20, 2002, the attorneys of record received a Notice To File Missing Parts Of Nonprovisional Application dated February 25, 2002 ("Notice") advising that the application was filed without a declaration and that substitute drawings are required for the reasons set forth in the Notice. The Notice provided a two-month period in which to submit the declaration and surcharge for late filing thereof and to submit the substitute drawings.

**MAILING CERTIFICATE ON  
LAST PAGE**

In response to the PTO Notice, a duly signed declaration is submitted herewith together with a check in the sum of \$130.00 to cover the required surcharge for the late filing of the declaration. Should the check prove insufficient for any reason, authorization is hereby given to charge any such deficiency to Deposit Account No. 01-0268. Applicants also submit herewith four sheets of substitute formal drawings containing thereon Figs. 1-4. It is respectfully requested that the enclosed formal drawings be entered in the PTO application file in lieu of the original drawings filed with the application. Also submitted is a copy of the PTO Notice.

REQUEST FOR RESETTING MAILING DATE OF NOTICE

On May 13, 2002, the attorneys of record telephoned the Application Branch to inquire when a PTO Notice To File Missing Parts of Nonprovisional Application would be issued in the above-identified application. The attorneys of record were informed by Ms. Robinson that the PTO PALM system showed that the application file was located with a contractor and that the PTO Notice should have been mailed on February 25, 2002. Ms. Robinson kindly indicated that she would contact the PTO contractor and request that they fax the Notice to the office of the attorneys of record and request that the PTO Notice be re-mailed, resetting the date for filing the declaration, if it

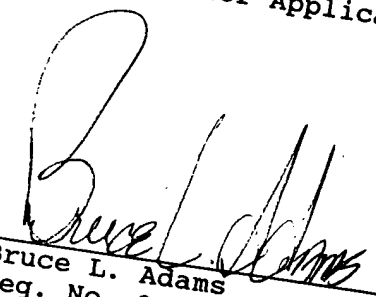
was learned that the PTO Notice had not been mailed to applicants' attorneys.

The PTO Notice was faxed to the attorneys of record on May 20, 2002 and on the same day, the original PTO Notice dated February 25, 2002 was received in the mails by the attorneys of record, almost three months from the indicated date of mailing, thereby making the declaration together with a one-month extension of time due May 25, 2002. Since it is clear the PTO Notice was only mailed to the attorneys of record after Ms. Robinson's kind intervention in mid-May, applicants request that the PTO issue a new Notice resetting the date for filing the declaration, thereby eliminating the need for filing an extension of time and paying a PTO extension fee.

As the mailing date of February 25, 2002 stated on the Notice is clearly incorrect, and as the Notice was not actually mailed until mid-May, the enclosed declaration and formal drawings should be considered as having been timely filed within the two-month period set in the Notice, and applicants should not be required to pay a PTO extension fee.

It is respectfully requested that the processing of the application be completed, and that the filing receipt be issued.

Respectfully submitted,  
ADAMS & WILKS  
Attorneys for Applicants

By:   
Bruce L. Adams  
Reg. No. 25,386

50 Broadway  
31st Floor  
New York, NY 10004  
(212) 809-3700

MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner of Patents & Trademarks, Washington, D.C. 20231, on the date indicated below.

Bruce L. Adams

Attorney Name

  
Signature

MAY 28, 2002

Date



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/016,830	12/13/2001	Ryoji Hagiwara	S004-4504

ADAMS & WILKS  
31st Floor  
50 Broadway  
New York, NY 10004

CONFIRMATION NO. 7493

## FORMALITIES LETTER



\*OC000000007525515\*

Date Mailed: 02/25/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE